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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

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CC 92-77

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September 16, 1994

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SEP 22 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

The Honorable Richard G. Lugar  
United States Senate  
Attention: Darlee Williams  
306 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Lugar:

Thank you for your letters on behalf of Arthur R. Lewis, Jail Commander, Daviess County Sheriff Department; Larry J. Dembinski, Sheriff, Porter County Sheriff's Police; and Clarence B. Switzer, Sheriff, Orange County Sheriff Department, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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The Honorable Richard G. Lugar  
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Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Kathleen M.H. Wallman". The signature is fluid and cursive, with a large initial "K" and a long, sweeping underline.

Kathleen M.H. Wallman  
Chief  
Common Carrier Bureau

Enclosures

RICHARD G. LUGAR  
INDIANA

SH 306 SENATE OFFICE BUILDING  
WASHINGTON, D.C. 20510  
202-224-4814

# United States Senate

WASHINGTON, D.C. 20510

August 15, 1994

COMMITTEES:

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JOINT COMMITTEE ON THE  
ORGANIZATION OF CONGRESS

Federal Communications Commission  
Congressional Affairs  
1919 M Street NW  
Washington, D.C. 20554

Dear Sir/Madam:

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

Your findings and views, in duplicate form, along with the return of the enclosure, will be greatly appreciated. Please direct your reply to the attention of Darlee Williams of my Washington office.

Thank you for your thoughtful attention.

Sincerely,



Richard G. Lugar  
United States Senator

RGL/cjl  
Enclosure

# ORANGE COUNTY SHERIFF DEPARTMENT

PAOLI, INDIANA 47454 08

94 AUG -8 AM 11:08

CLARENCE B. SWITZER, SHERIFF

(812) 723-2417



August 3, 1994

TO WHOM IT MAY CONCERN:

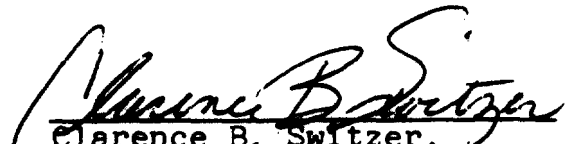
We at the Orange County Jail are concerned about the proposed Billed Party Preference for long distance telephone calls. We have 3 major concerns (areas) that will be affected to our detriment, namely:

1. We will lose blocking control of our inmate phone calls.
2. We will lose a revenue stream and the inmate family phone costs could go up.
3. The potential for fraud will slowly works it way back into the system.

Along with these major concerns, we also see a problem with who is going to pay for all of this?

All of us here at the Orange County Sheriff's Department STRONGLY OPPOSE THE BPP and encourage the PCC to do the same.

Thanking you for your assistance.

  
Clarence B. Switzer,  
Sheriff, Orange County, IN